

REMARKSClaim Changes

Claim 22 has been newly added. Support for the new claims can be found at least on page 3 lines 3-5 of the specification as filed. Thus, no new matter is added.

No amendment made is related to the statutory requirements of patentability unless expressly stated herein. No amendment is made for the purpose of narrowing the scope of any claim, unless Applicant had argued herein that such amendment is made to distinguish over a particular reference or combination of references. Any remarks made herein with respect to a given claim or amendment is intended only in the context of that specific claim or amendment, and should not be applied to other claims, amendments, or aspects of Applicant's invention.

Rejection of claims 12, 15, 16, and 20 under 35 U.S.C. § 102(b) as being anticipated by US 5,956,505 (Manduley)

Applicant respectfully traverses the rejection of claims 12, 15, 16, and 20.

Applicant respectfully submits that Manduley does not anticipate, either expressly or inherently, each and every element as set forth in independent claim 12. Specifically, independent claim 12 recites "forming a feature change code from the authorization key and information related to an authorized feature set" which is not anticipated either expressly or inherently, in Manduley.

Manduley is directed to a method for activating an optional feature in a data processing device. See Manduley, Abstract. Manduley describes "[A]t step 224 the data center generates a code that, when entered into device 20, will cause device 20 to update its activation map to activate the requested application or features." See Manduley, col. 8, lines 29-33. The Office Action appears to equate "an authorization key" with "a code" generated by the data center in Manduley. See Office Action dated September 10, 2007, page 5.

Applicant respectfully disagrees with the statement in item 1 on page 5 of the Office Action dated September 10, 2007 that the authorization key and feature change code is an integrated code. The feature change code is obtained by encrypting the authorization key and the information related to an authorized feature set. See FIG. 6, element 67 and page 9, line 31 to

page 10, line 3 of Applicant's specification. In contrast, Manduley describes sending the authorization key (activation code) directly to the user/system. See Manduley Fig. 2, steps 224-230 and col. 8, lines 29-44. Therefore, Manduley fails to disclose "forming a feature change code from the authorization key and information related to an authorized feature set" as required by independent claim 12.

In view of the foregoing, Applicant respectfully submits that Manduley does not disclose "forming a feature change code from... information related to an authorized feature set." Applicant therefore submits that claim 12 is not anticipated by Manduley, and therefore the rejection of claim 12 under 35 USC 102(b) should be withdrawn. Applicant requests that claim 12 may now be passed to allowance.

Dependent claims 15, 16, and 20 depend from, and include all the limitations of independent claim 12. Therefore, Applicant respectfully requests reconsideration of dependent claims 15, 16, and 20 and requests the withdrawal of the rejection.

Rejection of Claims 17-18 under 35 U.S.C. § 103 (a) as being unpatentable over US 5,956,505 (Manduley) and further in view of US 2003/0204721 (Barrus)

Manduley has been previously discussed and it has been clarified that Manduley fails to describe "forming a feature change code from the authorization key and information related to an authorized feature set." Applicant respectfully submits that Barrus also fails to overcome the deficiency of Manduley in that Barrus also fails to describe the above mentioned limitation. Furthermore, claims 17-18 depend from, and include all the limitations of independent claim 12. Therefore, Applicant respectfully requests to reconsider allowance of dependent claims 17-18 and requests withdrawal of the rejection.

Rejection of Claims 13-14 under 35 U.S.C. § 103 (a) as being unpatentable over US 5,956,505 (Manduley) and further in view of US 2002/0138728 (Parfenov)

Manduley has been previously discussed and it has been clarified that Manduley fails to describe "forming a feature change code from the authorization key and information related to an authorized feature set." Applicant respectfully submits that Parfenov also fails to overcome the deficiency of Manduley in that Parfenov also does not describe the above mentioned limitation. Furthermore, claims 13-14 depend from, and include all the limitations of independent claim 12.

Therefore, Applicant respectfully requests to reconsider allowance of dependent claims 13-14 and requests withdrawal of the rejection.

Rejection of Claims 1, 2, 5-6, 9-11, and 21 under 35 U.S.C. § 103 (a) as being unpatentable over US 5,956,505 (Manduley) and further in view of US 6,668,375 (Leovac)

Applicant respectfully traverses the rejection of claims 1, 2, 5-6, 9-11, and 21. Reconsideration is respectfully requested.

Applicant respectfully submits that the combination of Manduley and Leovac does not teach or suggest all the claim limitations as set forth in independent claim 1. Specifically, independent claim 1 require "forming a feature change code from the authorization key and information related to an authorized feature set" which is not taught or suggested in the combination of Manduley and Leovac. Manduley has been previously discussed and it has been clarified that Manduley fails to describe "forming a feature change code from the authorization key and information related to an authorized feature set." Applicant respectfully submits that Leovac also fails to overcome the deficiency of Manduley in that Leovac also does not describe the above mentioned limitation.

Additionally, Applicant respectfully submits that the combination of Manduley and Leovac does not teach or suggest "receiving a feature change code from the authorization device and obtaining an authorization key and information related to an authorized feature set from the feature change code" as required by independent claims 1 and 2. The Office Action dated September 10, 2007 appears to assume that the feature change code and the authorization key is an integrated code. At the most Manduley describes receiving a code generated by the data center at the device 20 which causes the device 20 to update its activation map to activate the requested application or features. See Manduley, col. 8, lines 29-34. However, as described above the feature change code and the authorization key cannot be considered as an integrated code. Thus, Manduley fails to describe "obtaining the authorization key and information related to authorized feature set from the feature change code" as required by independent claims 1 and 2. Since, Leovac also fails to describe "obtaining the authorization key and information related to authorized feature set from the feature change code" the combination of Manduley and Leovac fails to disclose Applicant's claimed invention as claimed in independent claims 1 and 2,

Applicant respectfully requests withdrawal of the rejection of claims 1 and 2 under 35 USC 103(a). Applicant requests that claims 1 and 2 now be passed to allowance.

The Office Action dated September 10, 2007 in item 3 on page 14 states “[C]laims 11 and 21 are rejected because it is the apparatus performing the method of claims 2 and 1 respectively.” Since independent claims 1 and 2 are deemed to be allowable for reasons described above, Applicant respectfully requests withdrawal of the rejection of claims 11 and 12 under 35 USC 103(a). Applicant requests that claims 11 and 12 now be passed to allowance.

Dependent claims 5, 6, 9, and 10 depend from, and include all the limitations of independent claim 1. Therefore, Applicant respectfully requests the reconsideration of dependent claims 5, 6, 9, and 10 and requests withdrawal of the rejection.

Rejection of Claims 7-8 under 35 U.S.C. § 103 (a) as being unpatentable over US 5,956,505 (Manduley) and further in view of US 6,668,375 (Leovac) and US 2003/0204721 (Barrus)

Manduley and Leovac have been previously discussed and it has been clarified that the combination of Manduley and Leovac fails to describe “forming a feature change code from the authorization key and information related to an authorized feature set” and “obtaining the authorization key and information related to authorized feature set from the feature change code” as required by independent claim 1. Applicant respectfully submits that Barrus also fails to overcome the deficiency of Manduley and Leovac in that Barrus also does not describe the above mentioned limitation. Furthermore, claims 7-8 depend from, and include all the limitations of independent claim 1. Therefore, Applicant respectfully requests to reconsider allowance of dependent claims 7-8 and requests withdrawal of the rejection.

Rejection of Claims 3-4 under 35 U.S.C. § 103 (a) as being unpatentable over US 5,956,505 (Manduley) and further in view of US 6,668,375 (Leovac) and US 2002/0138728 (Parfenov)

Manduley and Leovac have been previously discussed and it has been clarified that the combination of Manduley and Leovac fails to describe “forming a feature change code from the authorization key and information related to an authorized feature set” and “obtaining the authorization key and information related to authorized feature set from the feature change code” as required by independent claim 1. Applicant respectfully submits that Parfenov also fails to overcome the deficiency of Manduley and Leovac in that Parfenov also does not describe the

above mentioned limitation. Furthermore, claims 3-4 depend from, and include all the limitations of independent claim 1. Therefore, Applicant respectfully requests to reconsider allowance of dependent claims 3-4 and requests withdrawal of the rejection.

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Such action is earnestly solicited by the Applicant. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact the Applicant's attorney or agent at the telephone number indicated below.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

Respectfully submitted,

Please send correspondence to:
Motorola, Inc.
Intellectual Property Dept.
600 North US Highway 45
Libertyville, IL 60048
Customer Number: 20280

By: /HISASHI D. WATANABE/ 11/28/2007
Hisashi D. Watanabe Date
Attorney for Applicant
Registration No. 37,465
Tel. No. (847) 523-2322
Fax No. (847) 523-235
Email: docketing.libertyville@motorola.com